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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,528	01/21/2004	Morten Lassen	081069-0307658	1114
909 7590 01/09/2007 PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102			EXAMINER WARD, JESSICA LEE	
			ART UNIT 1733	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/760,528

Applicant(s)

LASSEN ET AL.

Examiner

Jessica L. Ward

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1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/20/06, Election.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 23-32 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-22 is/are allowed.
- 6) ☒ Claim(s) 33-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_ 1/21/04, 2/24/04, 7/28/06
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I, claims 1-22 and 33-43, in the reply filed on 10/20/06 is acknowledged.

### *Specification*

2. The disclosure is objected to because of the following informalities:

On p. 6, line 3 of section [0036]), "18b" should be --16b-- after "laminating pouches."

Appropriate correction is required.

### *Claim Objections*

3. Claim 5 is objected to because of the following informalities: --of-- should be inserted after "stack" in line 2. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 33-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Botta (US 2001/0054486).

Botta teaches a supply comprising a removable pouch holder (could be feed device 82 or deposition unit 26) mounted (to the frame of an apparatus) and a plurality of pouches arranged in the pouch holder (Figures 4a-4b; sections [0012, 0030, 0042 on p. 5, 0045]), wherein each pouch

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includes a pair of sheets 14 joined at leading ends thereof with adhesive provided on an inner surface of at least one of the sheets (section [0029]).

As for the portion of the preamble that recites an intended use for the supply (“for a master processing apparatus operable to affect adhesive bonding between sheets of a pouch to a target substrate, the apparatus comprising: (a) a frame and (b) a processor operable to perform a processing operation wherein adhesive bonding is affected between the sheets of a pouch and a target substrate received therein as they are moved through the processor in a feeding direction), it is noted that a manner in which an apparatus (the supply) is intended to be used does not further limit the scope of an apparatus claim (MPEP 2114).

As for the features recited in the last paragraph of the claim (“the pouch holder *when removably mounted to the frame of the apparatus* enabling the pouches to be successively exposed as a leading pouch in an operative position wherein one of the sheets of the leading pouch can be unfolded away from the other sheet to open the leading pouch into an open position for receipt of the target substrate, and therefore the leading pouch with the target substrate can be fed into the processor for performance of the processing operation”), they also fail to further limit the scope of the claim because the ability of the pouch holder to perform this function depends on its being mounted to the frame of the apparatus, and the frame of the apparatus does not further limit the scope of the claim as established in the previous paragraph.

***Allowable Subject Matter***

6. Claims 1-22 are allowed.

With respect to claim 1, the prior art fails to teach or suggest a master processing apparatus comprising a pouch holder mounted to the frame and a supply including a plurality of

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pouches arranged in the pouch holder, with each pouch including a pair of sheets joined at leading ends thereof, wherein the pouch holder enables the pouches of the supply to be successively exposed as a leading pouch in an operative position wherein one of the sheets of the leading pouch can be unfolded away from the other sheet to open the leading pouch into an open position.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica L. Ward whose telephone number is 571-272-1223. The examiner can normally be reached on Increased Flextime Policy Program.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard D. Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jessica L. Ward  
Primary Examiner  
Art Unit 1733

